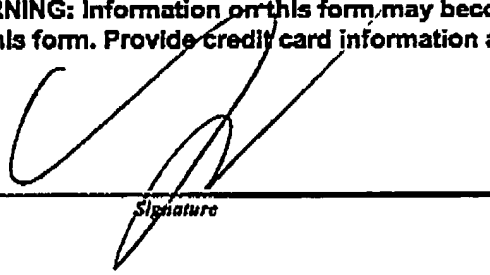


<b>NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)</b>					<b>Docket No. BAF-10703/29</b>
In Re Application Of: <b>Ferree</b>					
Application No. 10/007,477	Filing Date 11/08/2001	Examiner D. Comstock	Customer No. 25006	Group Art Unit 3733	Confirmation No. 2845
Invention: <b>ENHANCED SURFACE AREA SPINAL FUSION DEVICES AND ALIGNMENT APPARATUS THEREFOR</b>					
<b><u>COMMISSIONER FOR PATENTS:</u></b>					
Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated <b>Dec. 13, 2005</b> finally rejecting Claim(s) <b>1-3 and 12-17</b>					
Applicant is a small entity under 37 CFR 1.9 and 1.27.					
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27					
The fee for this Notice of Appeal is: <b>\$250.00</b>					
<input type="checkbox"/> A check in the amount of the fee is enclosed.					
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <b>07-1180</b>					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>					
 _____ <i>Signature</i>			Dated: <b>March 13, 2006</b>		
<b>John G. Posa</b> Reg. No. 37,424 Gifford, Krass, Groh et al PO Box 7021 Troy, MI 48007-7021 Tel. 734/913-9300			<div style="border-bottom: 1px solid black; margin-bottom: 5px;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</div> <div style="text-align: center; margin-bottom: 5px;">_____ (Date)</div> <div style="text-align: center; margin-bottom: 5px;">_____ Signature of Person Mailing Correspondence</div> <div style="text-align: center; margin-bottom: 5px;"><b>VIA FACSIMILE</b></div> <div style="text-align: center;">_____ Typed or Printed Name of Person Mailing Correspondence</div>		

03/15/2006 EFL0RES 00000044 071180 10007477

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RE: SN 10/007,477

MESSAGE:

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